

Questions for the Record from Mr. Scott Fitzgerald for Mr. Morgan Reed

“Europe’s Threat to American Speech and Innovation”

September 3, 2025

1. Instead of looking inward and acknowledging that laws like the DMA discriminate against U.S. innovators and harm the EU economy, European officials, including French President, Emmanuel Macron, are threatening additional retaliatory actions against U.S. companies. Do you think it is advisable for Europe to retaliate against U.S. technology companies, and how should the U.S. respond to these types of threats?
2. The EU doesn’t just overregulate its own economy and discriminate against U.S. technology companies – it also aggressively pushes other countries to do the same. As a result, we’re seeing Digital Markets Act copycat laws and proposals appearing in countries all over the world, including Australia, Brazil, India, Germany, Japan, Korea, Singapore, Turkey, and the United Kingdom. Just like the EU, these policies seek to target U.S. companies while sparing local and Chinese firms. Can you talk about how this harms U.S. interests, and how should the U.S. respond to these sorts of attacks?
3. Can you speak to the kinds of broader economic harms to our global economic competitiveness that the U.S. could face were we to adopt legislation similar to the DMA in the United States?

Questions for the Record from Mr. Jerrold Nadler for Mr. Morgan Reed

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1. The Committee has previously conducted oversight on a bipartisan basis of the veracity of sworn testimony of witnesses who appear before the Committee. These efforts include holding accountable those who attempt to mislead the Committee under oath and in written statements, cover up evidence, or stonewall the Committee’s efforts to uncover evidence.
 - a. Do you affirm, subject to 18 § U.S.C. § 1001’s prohibition on providing false information to Congress or federal agencies, that Amazon, Alphabet, Apple, Meta, or Microsoft have not shaped the policy positions of ACT | the App Association or directed the organization’s efforts in any way?
 - b. Did any employee or outside counsel of Amazon, Alphabet, Apple or Meta, or Microsoft review or provide feedback on the substance of your testimony prior to its submission to the Committee? If so, please identify the person or persons who provided feedback, the substance of the feedback, and your response.
2. Please describe all communications with any employee of Amazon, Alphabet, Apple or Meta, or Microsoft, or their outside counsel, that relate to the hearing topics or your preparation for the hearing, including any discussion of the congressional delegation meetings on related issues in Brussels, London, or Washington, DC in 2025.
3. On an annual basis, how much funding does ACT | The App Association receive from Apple, including in-kind contributions? What percentage of your total annual revenue is funded by Apple? Please provide this information for the past five years.
4. On an annual basis, how much funding does ACT | The App Association receive from Alphabet, including in-kind contributions? What percentage of your total annual revenue is funded by Alphabet? Please provide this information for the past five years.
5. On an annual basis, how much funding does ACT | The App Association receive from Amazon, including in-kind contributions? What percentage of your total annual revenue is funded by Amazon? Please provide this information for the past five years.
6. On an annual basis, how much funding does ACT | The App Association receive from Microsoft, including in-kind contributions? What percentage of your total annual revenue is funded by Microsoft? Please provide this information for the past five years.

7. On an annual basis, how much funding does ACT | The App Association receive from Meta, including in-kind contributions? What percentage of your total annual revenue is funded by Meta? Please provide this information for the past five years.
8. During the hearing, you testified that your organization opposes Apple on several matters. Please describe all such matters for the last five years, along with supporting communications, demonstrating this opposition.
9. Your testimony describes various technology firms that are “App Companies in Your Districts” for members of the Committee. For example, you included Cloud9 Home Technology, a company located in Delaware, Ohio that specializes in home “installation and programming of smart devices.”¹ The company is not listed as a member of your organization on your website and does not appear to be an app developer or offer an app in the App Store.
 - a. Prior to the hearing, did your organization confirm that the companies listed in your testimony agree with your organization’s policies or the views in your statement for the record? Did any agree to be referenced in your testimony?
 - b. Are these companies members of ACT | The App Association? If so, which companies? Does your organization have an ongoing relationship with these companies? If so, please describe this relationship including the frequency, substance, and form of the Association’s communications with them and the method of collecting input on policy positions for 2024 and 2025.
10. Credible reporting suggests that Apple exerts an outsized influence over the policy positions of ACT | The App Association. According to one report, several former employees of your organization said that Apple “plays a dominant behind-the-scenes role shaping . . . the policy positions” of your organization.²
 - a. What assurances can you give the Committee, subject to your obligations to provide truthful statements under 18 U.S.C. § 1001, that Apple does not play a dominant role in shaping your organization’s policy positions?
 - b. What assurances can you give the Committee, subject to your obligations to provide truthful statements under 18 U.S.C. § 1001, that the members you identify as affiliated with your organization, either through your website or advocacy, are aware of their affiliation and agree with your organization’s public-facing policy positions?

¹ CLOUD 9 HOME TECHNOLOGY, About, <https://cloud9hometech.com/about> (last visited Sept. 5, 2025).

² Emily Birnbaum, *Apple Flexes Muscle as Quiet Power Behind App Group*, BLOOMBERG (Sept. 19, 2022), <https://www.bloomberg.com/news/articles/2022-09-19/apple-flexes-muscle-as-quiet-power-behind-app-developer-group>.

11. Please provide the Committee with your organization's Form 990 filings for the past five years. Do you make those filings available on your website, as of the date of the hearing? If not, why not?
12. Please share with the Committee how many of your members pay fees to Apple to operate their app in the app store? How many of your members have apps that are based on a subscription model? How many of your members are participants in the App Store Small Business Program? How many of your members offer free apps?
13. Please share with the Committee how many of your members offer their apps on both Android and iOS?
14. Please share with the Committee how many of your members are app developers versus other small tech businesses?